

Application No. : 09/815,982
Filed : March 22, 2001

REMARKS

Claims 1-6, 8, 10, 19-24, 36, 38, 41-44, 49, 50, 53-55, and 59-66 were pending in the application. By this paper, Applicant has cancelled Claim 63 without prejudice, and amended Claims 1, 5, 10, 22, 38, 42, 49, 50, 53, 54, 62, 65 and 66. Accordingly, Claims 1-6, 8, 10, 19-24,
5 36, 38, 41-44, 49, 50, 53-55, 59-62, and 64-66 are presented herein for examination.

Allowed Claims

Per page 1 of the Office Action, Claims 8, 19-21, 23-24, 36, 53, 59-61 and 65 stand
allowed.

Objected-to Claims

Per pages 5-6 of the Office Action, the Examiner objected to Claims 1-6, 10, 22, 38, 41-44,
49-50, 54-55, 62-64, and 66 for various informalities.

15 **Claim 1** - At page 5 of the Office Action, Claim 1 was objected to because "said act of locating" was found to lack antecedent basis. By this paper, Applicant has amended Claim 1 to recite "said act of identifying" in place of "said act of locating". A proper antecedent basis for "said act of identifying" now exists in Claim 1. Thus, Applicant submits that Claim 1, as amended, overcomes the Examiner's objection and is in condition for allowance.

20 **Claim 10** - At page 5 of the Office Action, Claim 10 was objected to because "said artifact" was found to lack antecedent basis. Accordingly, Applicant has amended Claim 10 to recite "an artifact". Applicant submits that its amendments overcomes the Examiner's objection, thus placing Claim 10 in condition for allowance.

25 **Claim 22** - At page 5 of the office Action, Claim 22 was objected to because "the Doppler shift" was found to lack antecedent basis. Accordingly, Applicant has amended Claim 22 to recite

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“a Doppler shift”. This amendment respectfully overcomes the Examiner’s objections, hence placing Claim 22 in condition for allowance.

Claim 38- At page 5 of the Office Action, the statements “said analog-to digital converter”
5 and “said pressure signals” in Claim 38 were found to lack antecedent basis.

By this paper applicant has amended Claim 38 to recite “an analog-to-digital converter.”

With respect to “said pressure signals”, Applicant notes that Claim 38 recites “at least one
pressure transducer capable of obtaining *pressure signals* from said blood vessel” (emphasis
added). Accordingly, Applicant respectfully submits that the statement “said pressure signals” of
10 Claim 38 does, in fact, have proper antecedent basis, that basis being the “pressure signals” cited
above.

Thus, Applicant respectfully submits that Claim 38, as amended, does not contain any
phrases lacking proper antecedent basis and is in condition for allowance.

15 **Claim 42** - At page 5 of the Office Action, Claim 42 was objected to because statement
“the sine and cosine functions” was found to lack antecedent basis. By this paper, Applicant has
amended Claim 42 to instead recite “a sine and a cosine function”. This amendment overcomes the
Examiner’s objections; thus, Applicant submits that Claim 42, as amended, is in condition for
allowance.

20 **Claim 49** - At page 5 of the Office Action, Claim 49 was objected to as containing the
statement “the output of said act of applying” which was found to lack antecedent basis.
Accordingly, Applicant has amended Claim 49 to recite “an output of said act of applying”. Thus,
Applicant submits that Claim 49, as amended, no longer contains phrases lacking proper antecedent
25 basis and is in condition for allowance.

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Claim 50 - At page 5 of the Office Action, Claim 50 was objected to as containing the extraneous word “resp”. By this paper, Applicant has amended Claim 50 to eliminate the word, thereby rendering Claim 50 in condition for allowance.

5 **Claim 53** - At page 5 of the Office Action, Claim 53 was found objectionable for containing the phrase “the tissue”, in the statement “purposely compressing *the tissue* surrounding at least a portion of said vessel” (emphasis added), which lacks antecedent basis. Accordingly, Applicant has amended Claim 53 to recite instead “purposely compressing tissue surrounding at least a portion of said vessel”, which does not contain phrases lacking antecedent basis. Thus,
10 Applicant submits that Claim 53, as amended, is in condition for allowance.

Claim 54 - At page 5 of the Office Action, Claim 54 was objected to as containing the phrase “the square of the envelope” which lacks antecedent basis. By this paper, Applicant has amended Claim 53 to recite “a square of an envelope”. Applicant submits that this amendment
15 overcomes the Examiner’s objection and thus renders Claim 53 in condition for allowance.

Claim 62 - At page 5 of the Office Action, the phrase “the location of said blood vessel” was found to lack proper antecedent basis. Accordingly, Applicant has amended Claim 62 to recite “a location of said blood vessel”. Thus, Applicant submits that Claim 62, as amended, no longer
20 contains phrases lacking proper antecedent basis and is in condition for allowance.

Claim 63 - At page 5 of the Office Action, the Examiner objected to the claim as having improper means plus function language. By this paper, Applicant has cancelled Claim 63 without prejudice, thereby rendering the Examiner’s objection to the claim moot.

25 **Claims 64 and 65**- At page 5 of the Office Action, the Examiner found Claim 64 to contain a phrase “said for processing”; the Examiner requested that the term “apparatus” be inserted so as to recite “said apparatus for processing”. Applicant notes that no such wording can be found in Claim

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64, and respectfully contends that Examiner instead refers to Claim 65. Accordingly, Claim 65 has by this paper been amended to insert the term “apparatus” in the phrase “said for processing” appearing therein.

5 Claim 64 was further objected to as containing the phrase “said pressure signals” which was found to lack proper antecedent basis. Applicant again notes the absence of the phrase in Claim 64 and again respectfully refers the Examiner to Claim 65. Applicant further notes that Claim 65 recites “apparatus for obtaining pressure signals from said blood vessel”. Applicant respectfully contends that “said pressure signals” as it appears in Claim 65 refers to “pressure signals” recited in the above cited claim language. Accordingly, Applicant believes a proper antecedent basis for the
10 phrase “said pressure signals” exists in Claim 65.

Therefore, Applicant contends that Claims 64, and Claim 65 (as amended), are in condition for allowance.

15 **Claim 66** - At page 6 of the Office Action, Claim 66 was objected to as for containing the phrase “the output of said step of applying”, which was found to lack antecedent basis. By this paper, Applicant has amended Claim 66 to recite “an output of said step of applying” which is no longer objectionable. Therefore; Applicant submits that Claim 66, as amended, is in condition for allowance.

20 *In the Specification*

On page 4 of the Office Action, the Examiner objected to portions of the disclosure as having one or more informalities.

1. The Examiner requested that the status of the references to related and co-pending applications on pages 1, 24, and 36 be updated. Accordingly, Applicant has amended the
25 specification to incorporated updated status.

2. The Examiner requested that a space be inserted on page 11, line 28 of the specification between “Figure2”. Accordingly, Applicant has amended the specification to include a space there between.

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3. The Examiner requested Applicant replace “oscillator 620” on page 21, line 18 with “oscillator 670”. Accordingly, Applicant has amended the specification to make the above correction.

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In the Drawings

At page 2-4 of the Office Action, the Examiner objected to various ones of the Figures.

1. At page 2 of the Office Action, the Examiner objected to Figures 4a, 4b, and 20a.

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Figures 4a and 4b - The Examiner objected to Figures 4a and 4b as requiring a label on the x-axis. By this paper, Applicant submits replacement sheets of corrected figures including such label.

15 **Figure 20a** - The Examiner objected to Figure 20a, as containing items (2040, 2042, and 2046) which were not described in the specification. Applicant respectfully notes, however, that items 2040, 2042, and 2046 of Figure 20a are discussed at, *inter alia*, page 39 lines 21 – 26 of Applicant’s specification as filed. Hence, no changes have been made herein.

20 2. At page 3 of the Office Action, the Examiner objected to Figures 5a, 7, 8, 9, 11, 30d, and 33 as failing to comply with 37 CFR 1.84(p)(5) because they do not include reference signs mentioned in the description.

25 **Figures 5a, 7, 8, 9, 11, 30d, and 33** - The Examiner objected to Figures 5a, 7, 8, 9, 11, 30d, and 33 as missing reference numerals 500, 674, 694, 801, 810, 846, 3030, 3302, 3304, 3306, and 3308. Accordingly, Applicant submits replacement sheets of corrected figures to address the deficiency with respect to numerals 500, 674, 694, 801, 810, 846, 3030, 3302, 3304, and 3306. With respect to numeral 3308, Applicant has, by this paper, eliminated the reference to the

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numeral in the specification. Accordingly, Applicant submits that the figures as corrected (and in lieu of the corrected specification) are not objectionable.

3. At page 4 of the Office Action, the Examiner objected to Figures 8, 9, 15, 16, 23, and 35 as failing to comply with 37 CFR 1.84(p)(5) because they include references to characters not mentioned in the description.

Figures 8, 9, 15, 16, 23, and 35 - The Examiner objected to Figures 8, 9, 15, 16, 23, and 35 as including references to reference numerals 9, 841, 1600, 2042, 2302, and 3506.

10 With respect to numerals 1600, 2302, and 3506, Applicant has, by this paper, amended the specification to include appropriate references thereto.

With respect to reference numeral 9, Applicant respectfully submits that as discussed in Applicant's brief description of the drawings, "*Figure 9 is a cross-sectional view, including functional block diagram, of the blood pressure measurement system of the invention, taken along lines 9-9 of Figure 8.*" Therefore, the references "9" in Figure 8, are representative of the cross-sectional line about which Figure 9 is drawn. Accordingly, the specification has been amended to more clearly indicate the purpose of reference numeral 9 of Figure 8.

With respect to reference numeral 841, Applicant respectfully notes that the reference numeral is discussed at, *inter alia*, page 26 lines 24 – 27 of Applicant's specification as filed.

20 With respect to reference numeral 2042, as noted above, the reference numeral is discussed at, *inter alia*, page 39 lines 21 – 26 of Applicant's specification as filed.

Other Remarks

Applicant hereby specifically reserves the right to prosecute claims of different or broader scope in a continuation or divisional application.

Applicant notes that any claim cancellations or additions made herein are made solely for the purposes of more clearly and particularly describing and claiming the invention, and not for purposes of overcoming art or for patentability. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in the Applicant's position with respect to any

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claim or subject matter of the invention, or (iii) acquiescence in any way to any position taken by the Examiner, based on such cancellations or additions.

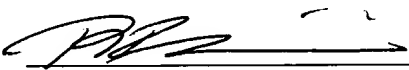
Furthermore, any remarks made with respect to a given claim or claims are limited solely to such claim or claims.

5 If the Examiner has any questions or comments that may be resolved over the telephone, he/she is requested to call the undersigned at (858) 675-1670.

Respectfully submitted,

GAZDZINSKI & ASSOCIATES

Dated: July 17, 2008

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